IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.248 OF 2006
WITH
FAMILY COURT APPEAL (ST.) NO.25970 OF 2006

Ravindra Pundlik Choudhari ...Applicant/ Appellant

V/s.

Dipti Borawake ...Respondent

Mr.N.G. Mujumdar, Advocate, for the Applicant-Appellant.
None for the Respondent.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 4TH JULY, 2007.

P.C. :

1. Heard.

2. This is an Application seeking condonation of delay in preferring the Appeal challenging the decision of the Family Court in Execution Petition No.87 of 2006.

3. The delay is only of 11 days. We are inclined to condone the delay subject to the Appellant-husband depositing a sum of Rs.5,000/- as costs in this Court within a period of two weeks of which due notice shall be given to the non-applicant/Respondent-wife. We make

it clear that cost is condition precedent and if it is not deposited, as directed, the Civil Application to stand dismissed without any further reference to this Court.

4. The Appeal be listed for admission immediately after a period of two weeks. We put the parties on notice that the Appeal would be disposed of at the stage of admission itself.

[J.N. PATEL, J.]

[A.A. SAYED, J.]